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FLORENCE NIGHTINGALE'S INDIAN LETTERS

*A glimpse into the agitation for tenancy reform,
Bengal, 1878-82.*

EDITED BY
PRIYARANJAN SEN

CALCUTTA
1937

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TO
MY FATHER
PRASANNA KUMAR SEN
TO 'WHOM THESE LETTERS HAD BEEN ADDRESSED
BY
FLORENCE NIGHTINGALE
WHOSE LOVE FOR HUMANITY
TRANSCENDED GEOGRAPHICAL LIMITATIONS

PREFACE

The fame of Florence Nightingale as a Servant of Humanity has spread all over the world, but her interest in India is not so widely known. The letters that form the contents of the present volume were found by me in my father's papers years ago. They had been addressed to him and they contain sufficient indication of her concern for the Indian peasant. They are now published in view of the fact that tenancy problems are receiving public attention at the present moment and the interest felt may be stimulated by the knowledge that the cause of the ryot was dear to the heart of such an illustrious personality as Florence Nightingale.

I take this opportunity to thank the management of the *Amrita Bazar Patrika* and the proprietor of the *Hindu Patriot* for kindly allowing me to consult their old files. My thanks are due also to the Editors of the *Calcutta Review* and the *Modern Review* for permission to reprint here some of these letters that had appeared in their journals during 1930-31.

The excellent biography of Florence Nightingale in two volumes by Sir Edward Cook (Macmillan, 1913), it is needless to say, has been of considerable help to me.

This work owes much to Professor P. C. Ghosh for his kind interest in the subject, and to Srijut Jyotish chandra Ray for his going through the proofs.

PRIYARANJAN SEN

INTRODUCTION

Continued improvements in the world of machinery, the zest in competition in industrial enterprises, the growing difficulties in the transshipment and marketing of agricultural products — these have not yet succeeded in reducing the importance of the land question. “Back to the land” is the desperate cry of economists ; it is the last resort of ruined speculators ; even the latest political slogan is the unity of workers and peasants. India, pre-eminently an agricultural country, has had her own share of troubles about the fair and equitable apportionment of her soil. Some of these are still without a remedy ; the wrong assessment made about a century and a half ago is felt today an oppressive load to many, patiently and silently suffering in the remote villages. More than fifty years have elapsed since their sorrows attracted the notice of Florence Nightingale whose services to humanity have made her an international figure. A few words by way of preface may be necessary to give an idea of the situation which drew her sympathy and called forth the letters which form the contents of the present volume.

When the English took over charge of the revenue of the country, they found everything in a disorganised condition, and a settlement of the land question was felt to be a crying necessity. In many of the districts the landholders, whatever their status, acted not so much

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as intermediaries between the ryot and the state—the tiller of the soil and its ultimate proprietor—as mere collectors of revenue. But in Bengal and some other provinces the mediaeval intermediary remained and still remains a capitalist, claiming a substantial portion of the produce and in days past, he still remembers with pride, he had played the part of a petty chief, as haughty and royal as any mortal clad in purple. The divine right of kings was extended to landholders who, however, lived among the actual tillers of the soil and many of them shared in their happiness and misery. In spite of the changed conditions of the country and the numerous attacks on its culture by alien civilisations, the system has not died out, though the spirit of the age now is no doubt working a transformation. The Zemindar held his land on payment of a certain revenue to the state, and he was free to assess his ryots accordingly, employing his agents or gomastas for the purpose. These agents, as might be expected, supplemented their slender pay by whatever they could extort from the tenants, and it cannot but be admitted that there was ample scope for getting rich by levying extra charges, customary or otherwise. Such being the relation between the different parties, much importance attaches to the amount of the revenue, the fixity of tenure, the way in which the rent is to be realised from the ryots. How much is to be paid to the state? How long can the tiller of the soil occupy the plot of land which he tills? How is the ryot to pay, and how much? These are primary questions, problems of revenue, tenure, rent and collection.

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The East India Company was confronted with the difficulties of collecting rent from a territory vast in extent and varied in custom and in the character of its population. It tried to follow the assessment made in 1582 by Todar Mall, which however had not been followed in practice in Bengal and other provinces on the borders of the Mughal Empire. On receiving the Dewani in August 1765 the Company enquired into the condition, revenue, productivity of the soil etc., and a settlement based on these enquiries was concluded in 1772. Each estate was settled for five years and farmer collectors undertook the collection of revenue, themselves free to assess the tenants. Warren Hastings, in order to drive his bargains as hard as possible, put up these settlements to auction from year to year to the great disgust of at least one of his colleagues, Philip Francis. His terms were so difficult that one-third of the province was left uncultivated. Lord Cornwallis, coming to India with special instructions from the Board of Directors, made a decennial settlement in 1790, and, when it was found to be working satisfactorily in some localities, he made it permanent by a law in 1793.

This law of 1793 considered each estate as a unit and the amount assessed was fixed. It concerned the relation between the Government and the Zemindar ; but the legislators were fully alive to the difficulties that might crop up between landlords and ryots, and so the law provided for the passing of measures necessary to prevent the oppression of the ryots on the one hand, and, on the other, to secure the Zemindars in the realisation of their dues from the

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tenants. The Zemindars were "to conduct themselves with good faith and toleration towards the dependent talukdars and raiyats." In a petition addressed by Rani Bhawani to the East India Company we come across the statement: "I am a Zemindar, so was obliged to keep the Ryots from ruin, and gave what ease to them I could," etc. No doubt there were other Zemindars like her, but the ryot had seldom protection against oppression by the proprietor.

The regulation promulgating the permanent settlement had two important provisions with which readers of these letters are concerned. It recognised the Zemindars as the proprietors of the soil, subject to the regular payment of a fixed land-revenue, and Government reserved to itself powers to make laws for the protection of the ryot. But such powers were not exercised till about sixty-six years after. Government, for the time being at least, was more concerned with the punctual realisation of revenue, and regulations after regulations were passed for facilitating the work of collection.

An instance to the point is Regulation VII of 1799 (popularly known as the *Haptam*) which gave the Zemindars absolute powers of distraint of goods (inclusive of crops and cattle) and imprisonment, without any reference to courts-of-law, of those tenants who could not pay. A number of sale-laws were passed which only made the position of the ryots more insecure. Regulation V of 1812 (popularly called the

¹ *Economic History of British India*, by Romes Dutt, London. 1902.

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Pancham), it is true, took away from the Zemindars the power of arrest, but it empowered them to create fresh tenures. Tenures and sub-tenures began to multiply and in each case a heavy *salami* (fee to be paid as a mark of respect) had to be paid to the superior landlord, which was ultimately realised from the already over-burdened ryot, the real producer.

By the law of 1793 it was obligatory for landlords and tenants to make a written agreement or contract, one copy of which, the *Kabuliyat*, was to be retained by the landlord, and the other, the *Pāttā*, by the tenant. Neither the one nor the other cared for such written agreements, and accurate accounts of payment of rent were not generally available.

Government, by Regulation II of 1816, provided for the appointment of Kanungoes who were to authenticate the *Pāttās* and the *Kabuliyats*; but as such papers were not forthcoming, the experiment after ten years' working proved a failure. At last the Court of Directors saw that Government must have a record of "the rights and obligations of various classes and persons who have an interest either in the land, its rent or its produce." Between 1830 and 1850, many of the districts of Bengal were "settled"—their record of rights was prepared, and it was a source of profit also to Government, because lands free of revenue on invalid titles were assessed now for the first time. Incidentally lands were classified, the rate of rent for each class specified, the nature of their tenure was examined, and the status of the tenants, their privileges and liabilities, were determined.

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The powers reserved by Government for the protection of the ryots were first exercised in Act X of 1859 (popularly known as the *das ayin*), in creating or rather legally defining, what is known as the 'occupancy right'; a ryot who cultivated the same plot of land continuously for twelve successive years was given a sort of qualified protection under the Act. Suits for arrears of rent and the execution of decrees for such arrears were to be settled in the Collector's Court. Occupancy right could be barred out by mutual agreement between landlord and tenant, and by a written contract. Those who had no such 'rights' could have *pāttās* on such terms as might be agreed upon between them and their landlords. Important rulings were given by the High Court from time to time; one was that Act X was not exhaustive in its statement of the rights of tenants, and that claims to occupancy rights were allowable even if they were based on custom only. Another was that an occupancy ryot had no right to have his rent fixed at a lower rate than what a tenant-at-will agreed to pay. This latter ruling however was set aside in 1865 in the Great Rent case where Dwarkanath Mitter, then a poor and unknown young lawyer, argued with great ability before the Full Bench of the High Court in *Thakurani Dasi v. Bisheshher Mukherji* case, and thoroughly impressed the judges who agreed that the ryot was bound to pay a fair rent, which would be fixed, not by competition but on reference to pargana rates, prevalent in adjacent lands, fixed by the law and the usage of the country.

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But Act X of 1859, though it raised great expectations, could not give a practical relief. The peasants were poor and ignorant ; and consequently the protection to be afforded by litigation was extremely difficult to obtain. On the other hand, the Zemindars were averse to creating occupancy rights ; they took recourse to frequent ejections before the twelve years' limit was reached, enhanced the rent with each eviction, and in the case of any opposition indulged in litigation. Disputes between landlords and tenants grew chronic in Bengal. In some of the eastern districts feelings ran so high and excesses were so many that requisition was made for special police for maintaining "law and order." There was a temporary lull on account of the famine conditions then prevailing, but with a prosperous year things reverted to their abnormal state, and in Pabna and in some parts of Dacca and Faridpur bitter feeling found an outlet in active hostilities. The ryots organised themselves in bands to resist the oppressions of landlords who took all steps to evade the law. The relation between landlord and tenant remained indefinite in law, rent-suits were dilatory, expensive and harassing, the judicial machinery was inadequate to cope with the demand made on it. The rent-law stood in need of a thorough revision. The Agrarian Disputes Act was passed in 1876 ; it was an emergency measure for the transfer of the jurisdiction of enhancement and arrears from the Civil Courts to the Revenue authorities when the occasion demanded it. The Lieutenant-Governor himself came forward with statements on the subject published in the Calcutta Gazette.

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Among the other notes written at this stage on the same topic may be mentioned those by Glazier ; T. Sisson, Judge and District Magistrate, Rangpur ; A. C. Das, Deputy Magistrate ; and Sanjeeb Chunder Chatterji, brother of the distinguished Bengali novelist Bankim Chandra. My grand-uncle, Parbati Churn Ray, Deputy Collector, Diara Settlement, Dacca and Faridpur, prepared a pamphlet on the subject in which he showed, by the help of figures, that probably consequent on Act X of 1859, rent-suits, mostly for the recovery of arrears of rent, amounted to more than half the number of all other civil suits.¹ It was the topic of the day ; patriotic Indians tried to rouse their countrymen to a consciousness of the evil before them. Bankim Chandra in his *Banga-darshan* dwelt on the misery of the Bengal peasant, trying to analyse and diagnose the problem. The Lieutenant-Governor appointed a Commission with Field as its Secretary, for revising and amending the entire Rent Laws, thus responding to a largely signed petition of the ryots. To assist himself and his fellow-members of the Commission and others interested in the subject, Field care-

¹ In nine years (1863-68 and 1873-77) there were 72,148 notices for enhancement only ! The years 1871-75 record an average of 103,016 of rent-suits out of an average total of 195,247. In 1876, a total of 130,593 of rent-suits out of a total of 344,357 of which again 177,473 were money-suits, were tried by the Civil Courts. We must also remember that with each recorded case of enhancement by fair means, there were a number of cases where the villagers were coerced into paying enhanced rates.

"In each year the rents of 12,02,880 ryots have been enhanced by fair means."

(Abhay Ch. Das *The Ryots*, p. 284).

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fully prepared in 1879 a digest of the existing laws, statute-law and case-law both included, which governed the relations of landlord and tenant, with a valuable index and two appendices on ryots' holdings and enhancement of rent. As a result of his enquiries he declared that "up to 1859 the Bengali peasant had neither security from eviction, nor fixity of the demand for rent, nor the power of transferring his holding." Act X of 1859 was intended to give some relief to the ryot, but instead its provisions were utilised to further oppression. It merely raised a number of tenants to the occupancy status ; no longer were they merely "tenants-at-will", and that was all. In due course the Report of the Commission was published and zealously discussed by the publicists. The *Hindu Patriot*, dealing with its findings in course of as many as 139 articles week after week, was an instance of Kristo Das Pal's enthusiasm and unwearied interest, and at the same time it marked a measure of the public opinion.

The status of the ryots was more clearly specified, and the Act itself amended, in 1885. The occupancy right was conferred on the settled ryots. But it was not a radical cure, nor a satisfactory one, and at the close of the nineteenth century, Rames Chandra Dutt, in his preface to Philip Francis' *Plan of Settlement*, said:

"After a century of British Rule in India, the Land Question still awaits an equitable solution. It awaits solution at the hands of a statesman capable of placing the happiness and prosperity of the people before the interests of the Land Revenue. If the

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wisdom and benevolence of Philip Francis or Cornwallis, of Canning or Lawrence, once more animates the thoughts and acts of our present administrators, we may see the rise of a prosperous middle class and a prosperous peasantry in India, and we shall hear less of desolating famines in future than we have done in the past."

Many of the difficulties still remain and these words of Rames Chandra have not lost their force to-day. If the ryot is the proprietor of the soil as indicated by the conferment on him of occupancy rights, why should the landlord come forward for his twenty per cent of the sale price of the tenant's land and thus lower the price of the land itself? And there is slight guarantee against eviction granted to the *korfa* ryots who are the real tillers of the soil. Although a number of amending Acts have tried to remove some of the grievances, the chances of litigation have not lessened on that account and the protection of the law is, by the very nature of circumstances, distant and illusory. Our legislators have so long consulted custom and expediency rather than equity and principle.

We have seen that even after the passing of the great Rent Act, Act X of 1859, and partly on account of it, the position of the ryots was intolerable. The better minds of India and England felt for the ryot and it was in this connection that letters were exchanged between my father Prasanna Kumar Sen, Vakil and Attorney of the Calcutta High Court, and Florence Nightingale. Her concern for India was not slight and in the intervals of a busy life devoted to

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various reforms she found time to study intelligently the sorrows of teeming millions across the dividing seas. The immediate occasion of the correspondence seems to have been the acknowledgment of a contribution to the topical question, "a tract of the times" which my father had composed and sent to her for her opinion. Her knowledge and information kept pace with her sympathy and love, and any one who goes through these letters will realise how intimately she knew about the peasants of Bengal and Bihar. They will also show that she exerted her influence (which was not slight) in the Cabinet for the relief of the tillers of the soil in India. Her insight showed her the importance of "this land question compared with which all others put together must sink into insignificance." Her earnest and intense mind was, for a substantial portion of her life, devoted to the good of India, and the people of India will thankfully remember her words: "My interest in India can never abate." Far above the din and bustle of contemporary politics lie enshrined the thoughts of Florence Nightingale, carefully scanning the distress and growing poverty of the Indian people and "furiously" trying to bring about better conditions. "A people cannot really be helped except through itself: a people must be *informed*, *reformed*, *inspired* through itself." When factions rule and the highest interests of the body politic are lost to view, her words have a special meaning for us: "*Disinterested* political, not party principle—oh, what a great, what a divine quality that is!"

FLORENCE NIGHTINGALE'S
INDIAN LETTERS



I

Private

APRIL 4-78
10, South Street,
Park Lane, W.

Sir,

I am extremely obliged to you for your letter of Feb. 21, and for your marked copy of the "Arrears of Rent Realization Bill"¹ and the discussion upon it in the Bengal Council.

I have made what use of this I could. From enquiry here, it appears as if this new Bengal Rent Act² were not yet passed. Could you let me know whether it is so, tho,' alas! in that case it will be too late?

The difficulty is that in all these cases, the Zemindars are strongly represented in the Bengal Council, while the Ryots are not at all, except in so far as the official men protect them.

I know there was a strong protest against a previous proposal (before the time of Sir Ashley Eden's Governorship)³ to make a radical change in the rights established by Act X of 1859⁴; and it was understood that this should not be carried out.

With regard to the Bill, it should certainly be a part of the scheme that there should equally be a summary remedy by process within reach of the Ryots against attempts to exact more than the

established rent without any regular legal enhancement. The fairness of the arrangement altogether depends on an adequate provision of that kind.

On the side of the Ryots the boon which Sir A. Eden proposes to give them is to make their hereditary tenures freely saleable and transferable in the market.

But here comes in the broader question whether the right of sale, and consequently of running into debt and pledging their properties, might not be as fatal a gift to the Ryots as it has been to the small proprietors of the Deccan.

But the Bengal men are more accustomed to the law.

It is a very difficult question, and till the Bill is in the shape in which, after discussion, it is proposed to pass it, an opinion could scarcely be offered here.

It is most irritating that the Bill should be recommended as being "Tenderness itself" compared with the landlord's powers under Reg. VII of 1799⁵ and Reg. V of 1812⁶, which were "engines of oppression" indeed in the Zemindar's hands and for that very reason repealed by Act X of 1859. It is rather hard to go back beyond 1859,—as if Act X, which has done so much for the Ryots, is or ought to be repealed.

At the same time it may be admitted,—may it not?—even by the best friends of the Ryots, that there is need of an easier and less expensive process for realizing undisputed rents, in the interests of the tenants who have to pay costs ; but on condition that there should equally be a summary remedy by process within reach of the Ryots, as above said.

It is most remarkable,—the British testimony given in the Bengal Council to the flourishing condition of the Ryots under the Rajah of Benares.

And I would suggest that it would be most useful if you were to obtain *facts*—trustworthy and individual *facts*—about their prosperity and its *causes*. That would not only be most interesting but would lead to great and practical good.

The British tribute to the Ryot that there is no more zealous improver of the soil, “when his tenure is assured”. even when “his rent is crushing,” is also remarkable. And I would again venture to suggest that you would be doing an enormous good, if you were to collect and give facts—individual and personal histories of Ryots—as to this his zeal.

A great statesman not now in the Cabinet, said to me the other day that the time was now come, bad as some of the means had been to bring it about, when India’s interests must “force their way *to the front*”—meaning, particularly, in the British Parliament.

2. It seems that the fairness or otherwise of a very summary adjudication of rents depends entirely on the nature of the evidence accepted as to *past* payments—does it not? If the old laws requiring a regular register of these payments by *official* accountants (Patwarees and Canoongoes)⁷ were put in force, would it then be objectionable?

The *Road Cess*⁸ returns have indirectly furnished a register, if they are accurately kept up—have not they? *N.B.* Is the Rule adhered to that half the Road Cess is paid by the Ryot, and half by the proprietor?

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Many of the provisions of the Bill which you notice *do* certainly seem far too severe and one-sided.

Neither the Backergunge nor any other Ryots are nearly so bad as they are painted. On the contrary, it is a good sign that they learn to stand up for their rights. Only let them do so by lawful means. And remembering that, besides the wickedness of murder and robbery, such evil deeds do the greatest possible harm to their own cause and their country's.

I thank you again and again for your extremely interesting letter. I shall have much to say to it some day, but there is no time this mail. Thank you again for your this Bill *and your remarks*, and pray believe me, wishing you success,

ever your and the Ryot's
faithful servant

Florence Nightingale

P. K. Sen, Esq.

II

Private

London, Dec. 20-78

Sir

I have very many thanks to offer you for your kind note of Sept. 16, and for your valuable pamphlet which accompanied it on the "Bengal Land Question,"⁹—as also for one on the "Rent Question"¹⁰ by Mr. P. C. Roy: and for Mr. Dutt's most interesting little book on the 'Bengal Peasantry'¹¹ with which I was already acquainted.

For each and for all of these pray accept my hearty thanks: as for the copies of the "Bengal Land

Question" which I am circulating among men who care for India and who have influence.

Your subject is one of such surpassing interest to me, (as you will readily believe,) that I had already been occupied in collecting information, which could not be successfully challenged, upon the very questions,—land tenures, connection of Zemindar and tenants, illegal 'abwabs',¹² condition of peasantry, which you touch upon: as well as upon the history of the Permanent Settlement.

What you say about agricultural earnings in Bengal—about the dispersed character of petty holdings, and the impossibility of having "model farms" is of intense and piteous importance: so also about the decrease in *amount* of produce: and the agricultural ignorance of rotations of crops and manures: and the tenants being unassisted by the Zamindar's providing anything, either capital, seed or cattle. The introduction of "competition" and its effect are ably pointed out.

You will not wish me, I know, to take up time and paper with idle, tho' well-deserved compliments, when the object of both of us is one of such pressing, such vital importance.

I would earnestly request you to put down narratives of individual ryots, (with time, name and place,) in this connection. English people will not read Reports in general, nor generalities, abstractions, statistics, or *opinions*, such as most Reports are full of. They want *facts*: individual facts concerning particular instances, real lives and effects.

Give us detailed facts. We want to rouse the interest of the *public*: for behind the Cabinet in England always stands the House of Commons and behind the House of Commons always stands the British public. And these are they we want to interest: and these can only be interested by narratives of real lives.

With an ignorant or indifferent public what *tells* are: individual facts about individual ryots with name and place: taken, for instance, in the relations of

—Land Assessment and Land Tenures:

—As to the Ryot's condition

(a) under the Zemindari tenure ;

(b) under different methods of agriculture ;

(c) under Land or Rent Unions (as in Eastern Bengal) ;

(d) also where as in Sir G. Campbell's time,
I believe, a voice to tax themselves was
given locally to the people.

—As to the dwellers

(a) Under Irrigation or none:

(b) Under water communication or none:

(c) Markets or none.

—As to the daily food and habits of the people.

Real facts,—not only the Reporter's own
opinions or generalities:

This is what is wanted to interest the people of England and make a Government work for us.

Give us some particular type village by name:
some particular type biography by name:

It is true that villages are "mere dots". Let them cease to be "mere dots", to us in England thro' Mr. P. K. Sen's pen.

May I venture to urge you most strongly to give us facts concerning the following points: for instance:

Under the "*Permanent Settlement*" of Bengal:
1st Point: There were to be no cesses: *i.e.*, no arbitrary taxes levied at the pleasure of the Zamindar (abwabs) upon the Ryot.

What is the fact?

2nd: The taxes were to be paid by the Zamindar: and not out of the rent.

How has this been observed?

3rd: The Zemindars were not to raise their rents: and on this condition the taxes on them are not to be increased.

What do you tell us about this?

4th: The Zemindar is to undertake roads, lesser public works, etc.

Has he done so?

Does he not rather avail himself of public works undertaken by the Government as a reason for raising his rents?

5th: The Ryot was to have redress in case of exaction.

What redress does he ever obtain?

6th: The Governor-General promised Regulations for the protection of the cultivators of the soil.

Were they ever enacted?

7th: The Zemindar was to give leases.

But are leases granted?

Or is there any proper system of sub-letting?

It would be of unspeakable importance if you could give us *facts*, real facts and narratives upon these and similar points.

[I would venture to point out the Report on the "Deccan Riots"¹³ by the 'Commission' appointed to enquire, as the only official Report from India (I have ever seen) which gives facts and narratives, with name, date and place before the summing up and conclusions in a way that would interest an English public.

[I wrote an article on it, in the "XIX Century" for 'August' last,¹⁴ which gives many extracts from it which is very much at your service, if you have not the Report itself at hand.]

I venture to suggest this Report as a model for what we are seeking as to the *Bengal Peasantry* to know.

It seems like a Providence that you should have written on this subject and kindly sent it to me at the very time that we were seeking for information on the above points.

As you request it, I feel bound to promise, God willing, that, if you will have the great kindness, as you have the power, of writing and sending us the accounts and facts which I venture to suggest to you, I will write a paper upon a subject which I may almost say interests me as much as it does you according to your desire.

Should you be kindly willing to collect the facts, but there should arise some difficulty as to the expense of putting them in print, perhaps you will kindly let me know. I had meant to make this letter much longer, by asking questions and dilating on various points connected with the above: but am unable to

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do so by this mail. I may trouble you with a letter by next mail *perhaps*. Pray accept my excuse or rather my true reason for my delay in answering your kind letter, *viz.*, severe pressure of overwork and illness.

I am and have been for years a prisoner to my room from illness.

But none the less—rather the more—do I earnestly feel for the people of India—and dedicate my poor efforts to their service—calling down God's blessing on all the faithful friends of India and on their exertions in her cause.

Again thanking you most warmly for your invaluable pamphlet,

Pray believe me (tho' in haste)

Sir,

ever her and your faithful servant

Florence Nightingale

I had omitted to say there will be no time lost if you kindly undertake to do this. At this moment people in England are so absorbed by the Afghan War¹⁵ in one way or another, that they cannot spare attention for the far deeper tragedy than any that can be acted there which took place but one brief year ago in Southern India, for the permanent state of Bengal.

It is best to wait in order to have peoples' minds at the service of our subject.

India has lost a true friend in our Princess Alice.¹⁶ Everything good she set herself to learn. She never came to London but she went to see herself all the best and most practical methods of doing good. She went about among the poorest London streets to

know the people for herself, without any one knowing that she was a Princess. She was known and loved at my Training School for Hospital Nurses.¹⁷ She had established one, and was to establish one on that model as soon as she was Grand Duchess. Our trained nurses are sending a white wreath for her grave. Poor children! Poor Darmstadt!¹⁸

F. N.

III

Private

New Bengal Rent Act.

10 South St.
Park Lane
London W.
APRIL 11/79.

Sir

I am truly thankful for your information that the Select Committee have not pledged themselves to any part of the Bill—that they are waiting to consider the criticism of mofussil officers—and that the Government will hardly attempt to hurry the Act thro' the Council.

I had previously made all the use I could of your very important information about the nature of the Bill itself: and had learnt that it was still under consideration here: or rather that it had not yet reached the stage of formal consideration: but that there still was ample time to secure for it full attention.

I do trust therefore that this Act will not pass without being modified to what it ought to be for affording full rights to the Ryot.

INDIAN LETTERS

You will, I hope, kindly continue the valuable information which you have been so good as to give. And I shall hope to answer much more satisfactorily.

Thanking you again and again for your Regulations, your Calcutta Gazette,¹⁹ your remarks upon the Bill in it of which I made the greatest use and for your letters: and may God speed the cause!

In haste,
and under severe stress of constant
overwork & illness,
pray believe me
ever the Ryot's faithful servt
Florence Nightingale

P. K. SEN, ESQ.

IV

Bengal Arrears of Rent Realization Bill.

MAY 30/79
10, SOUTH STREET,
Park Lane, W.
London

Sir

I am extremely indebted to you for sending me the petition, intended to be signed by the Ryots, against the provisions in Part 2 of the Bill under the head "Procedure for summary realizn of arrears of rent."

I rejoice very much that the Lt.-Governor,²⁰ in accordance with the suggestions of the Select Committee, has postponed the further discussion of

the Rent Bill till next session,—and has appointed a Commission for revising and amending the entire Rent Law.²¹

How important this will be. May all good attend their labours!

I conclude that the gentlemen, whom you name as the members, are all good men for the purpose.

The petition dwells much upon the fact that, whereas the Zamindar's rent is the same now as in 1793, the ryot's rent is from three to twenty-fold what it was in 1793: [this is, I suppose, strictly correct?] and that, tho' the Zemindar may have parted to middlemen with much of the difference between the rent paid by the ryot in 1793 and the much larger rent paid now, the fact that many are now fattening on the ryot, whereas the Permanent Settlement destined *one* zemr (not to fatten but) to protect the Ryot, is no reason for collecting with extra severity these high rents.

In the long note, the petition shows that its observations (on the Regns. of 1799 and 1812) apply equally to provisions of Sections 3 and 4—

You concur in this?

Such observations as that any one, whether Zemr or Goma, who can assert falsely that a cultivator owes him rent, can sell off his property, etc: that the tenants can find no effectual security: and that petty officials can always be *bribed* to reject 'security': that the Zemindar should not be judge in his own case, subject to only ineffective "restrictions:"

that false witness can always be had for a few annas apiece:

This, I suppose, *was* too true,
& *is* still too true?

The Table in the "Indian Tribune" (which you are so good as to enclose,) is very important: *viz.*, the Table showing that, out of 1915 cases in which defence was entered, it failed only in 478. And this in the 24-Pergunnahs!

Certainly, if any "restrictions" are to be placed, on any party in rent suits, it is on the landlord plaintiff & not on the tenant defendant.

After the statements about the fraudulent magnifying of rent-claims and supporting them by false witness and forgery, the challenge, which you say has not yet been taken up, is very striking.

As also that Part II of the Bengal Rent Bill will become "an engine of oppression in the hands of the corrupt 'amla' of the absentee Zemr."

Alas! how does this evidence of corruption confirm the plan of putting natives—the thing we all so much desire—into Government situations and offices? That is what I think of continually. Can you devise the reform which will lessen this all but universal corruption? I ask it with the truest devotion to the cause.

Is it true that the Rent Leagues in Eastern Bengal have ceased to exist?

It is said that the prices of food are so very high now in Bengal as to make the necessities of life even beyond the reach of thousands:

INDIAN LETTERS

When you are kind enough to write again, please mention how this *is*.

I assure you that I have not been idle in pressing attention to the Rent Bill at *this* end:

From want of time and strength, I am obliged to put off some further questions with which I had to trouble you till next mail.

Pray, believe me,
with many thanks,
ever your faithful servt.

Florence Nightingale

P. K. SEN, ESQ.

V

London, June 20/79

Sir

I am extremely indebted to you for sending me the 'supplement' to the 'Calcutta Gazette' of April 23: It is an exceedingly important document, as showing what is *acknowledged* by Government.

The Secretary to Government of Bengal says that the *Zemindars* declare the amended Bill to be of little use to them: and it is they who asked for the Commission.

At this end at the India Office it comes to this: that, as the Bill lately before the Council has been wholly dropped, and the whole question referred *de novo* to a fresh Commission, nothing can be done till they have reported.

The men selected to form the new Commission are far from hostile to the Ryot: and I earnestly hope they will examine Ryots and ascertain what their actual condition is.

Some means must be devised for dealing with this land question compared with which all others put together must sink into insignificance.

At the same time, is it not to be feared that, in any readjustment, the *men of money* who command the lawyers, and the newspapers, and the native members of Council, will certainly not lose, & may not improbably gain?

The thing would be: that there should be lawyers—noble native gentlemen,—who, despising wordly advantage, and gain, should be at the service of the Ryot, the weaker interest: that there should be newspapers, fearlessly but with the utmost attention to accuracy of facts, to advocate his cause. And we may hope that the day will come when the native members of Council will not be only in the interest of the Zemindar.

In European countries, such things have been known as young men patiently working their way up to riches or at least to honour and influence—not for their own sakes but for the sake of their poorer fellows, of the people's cause: till at last they were elected to representative political life, to high official post, or even to the Cabinet.

Disinterested political, not party principle—oh what a great, what a divine quality that is!

One hears much in India—I do not say it is at all peculiar to India—of the corruption, the exacting of

petty bribes, by the petty native officials, from the people, the wretched cultivators, who are in their power.

[There is, I believe we may say, less and less and almost nothing of this in England now, tho' there is very much in Russia.]

What a glorious career for a band of young native gentlemen in India, not only to be quite inaccessible to every kind of corruption themselves—[*that*, no doubt, they are already] but to set their faces like a rock systematically against every kind of corruption, however small—& probably it is the small and universal taking of bribes which is the worst mischief—in the *petty native* officials—to use every means in their power, not passively but actively, to establish a *public native opinion* against bribery—a manly horror of it—to raise the small official out of the habit of 'buttering his palms,' of taking 'douceurs' from the poor.

What a glorious object!

It is impossible for English officials in India,—incorruptible themselves,—to check or even to know the bribe-taking of the peons,—the small Public Works Irrigation overseers, etc. from the poor. Only the native gentlemen could speak and work against this.

And may God speed them!

2. I had hoped to have gone into this most important Gazette—important as showing what is acknowledged by Government—by this mail. But I find time and strength wanting.

But I assure you that there is at last, at last, so powerful an interest awakening in England for the

affairs of India as I never expected to live to see. The Houses of Parliament now discuss India as if it were a *home* question, a vital and moral question, *as it is*. This new public opinion in England only requires educating.

It requires *facts*.

I was exceedingly glad to see that you were circulating questions requiring facts for answers among your mofussil friends, and that you were going to collect information yourself.

That is what is wanted.

3. To return to the Commission on the Bengal Rent Law: would you not be inclined to hope for the *crystalizations* resulting from time to turn the Ryot's holdings into property as has been the case in most European countries and in our own country in the instance of the copyholders?

I should hope for legislation to give the Ryots relief against illegal exactions in excess of the rent established by law. For while the cases in which undisputed rents are withheld are few, those in which illegal cesses etc. are exacted are very many. It was a terrible thing that, while the Zemindars are supported in every tittle of their legal rights, when it was shown by a Commission of indisputable authority that illegal exactions were habitually made, all special interference was forbidden, & the Ryots were left to their legal remedy.

At present, I suppose, a suit for rent or a suit for over-rent or exaction can only be brought as a regular civil action: the same as if it were to try a question

of title: & such actions only come on in their turn: it may be a very slow & long turn. Should there not be a separate file for such, and a cheap and summary mode of trial—a case being stated for regular trial when a real question of title crops up. The summary jurisdiction would in all cases be confined to enforcing the rent previously paid & keeping down the levy by the Zemindar to that previous rent till it is legally enhanced. In Bengal and Behar no doubt the Zemindar's papers (in the absence of a public accountant) have been, as you notice, thoroughly unreliable. But I have understood that the Road Cess returns have done much to obviate that difficulty. Is it not the case that the Ryots come trooping in, even in Mozufferpore, to obtain certified copies of the Zemindars' records of their own rents: and that they, the Ryots, will not then pay a rupee more than the amount? [I give them joy.] If the Zemindars fail to keep reliable accounts, so much the worse for them: they will lose the benefit of the summary jurisdiction.

I am obliged to leave off abruptly, I hope to write by next mail.

In the meantime, let me thank you for all your valuable information and trust that you will kindly send me more of what I expect to turn to good account, please God.

Pray believe me faithfully yours
 Florence Nightingale

P. K. SEN, ESQ.

INDIAN LETTERS

VI

Lea Hurst
Cromford,
Derby

Oct. 13/79
10, South Street,
Park Lane, W.

Sir

I will not lose another mail in thanking you for several kind letters & enclosures containing valuable information. The statements, endorsed by the High Court of Judicature (for *that* is all important), contained in the Calcutta Gazette of some months back, are beyond price. And I made considerable use of them in directing the attention of officials to official statements which cannot be successfully challenged.

You well know how deeply I was interested in watching the prospects of crops in East Bengal. Thank God that a famine is averted. And thank God that there are Zemindars who will look after their poor.

Continue, I pray you, your valuable information to me.

No blacker cloud hangs over one now than the dread lest the necessity for retrenchment should touch some of the most progressive Institutions, Education, some productive Public Works etc.

Pray tell me the results of your Examination, which I earnestly hope will have proved perfectly successful: I assure you that I have not failed to bid you 'God speed' in that as in your future life—that

it may be long & vigorous & devoted to the highest aim, the country's service.

The reason of my silence for 2 or 3 months has never been, never can be, want of interest. It has been: not to trouble you with detail: increased business, permanent illness, & the taking charge in the country of my dear mother: (she is a widow and infirm) with looking after our own schools for the poor, our own sick and dying people on this estate.

We have two large Training schools for Hospital Nurses in London.

I must break off now: But I shall hope to write more fully by another mail.

My interest in India can never abate.

Any information that you could kindly send me, printed or otherwise, concerning the progress of the Commission for revising the Rent Law of Bengal, would be exceedingly valuable.

With every kind wish for your highest success, pray believe me.

ever yours faithfully

Florence Nightingale

P. K. SEN, ESQ.

I venture to send you a poor little address of mine to our Nurses in training: about half of them are ladies and half working women.

May I add that I know of instances of our native Indian soldiers and Non-Commissioned officers fighting & dying for duty quite as striking as those I have given?

F. N.

VII

Dec. 5/79
10, South Street,
Park Lane, W.

Sir

Most heartily am I desirous to hear any facts which you may be kind enough to communicate to me:

Especially as to the progress of the Commission for revising the entire Rent Law of Bengal²¹ of which Mr. Field is Secretary.

Might I ask whether there are any reports or correspondence published in the Gazette or otherwise relating to the Rent question as treated by this Commission: or any kind of information as to its progress and proceedings?

In the course of your enquiries as to the state of the Ryots, it would be very valuable to give a List of 30 or 40 *bonafide* cases, quoting names and particulars, as regards each of the questions which we have raised in our correspondence.

But I am more particularly anxious just now to know the proceedings of the Commission on the Rent question:

Thanking you again for that valuable Gazette you sent me with a minute by the High Court of Judicature, & again bidding you 'God speed' in your undertakings,

Pray believe me

Yours faithfully

Florence Nightingale

P. K. SEN, ESQ.

VIII

Private and confidential

London, March 5/80

Sir

With the utmost satisfaction I learn that you have passed your Examination ; & I trust that your health is fully restored. And I assure you you have my best wishes for your success.

But, far and away beyond this, I join with you in unceasing fervent prayer to the Fatherly Providence of us all for your *highest* success,—that is, that you may be enabled wisely, soberly & continuously through a long life to help others to help themselves, to speak for those who have no voice, to be the voluntary representative of the poor & dumb & ignorant. And to make others noble, we must ourselves be noble.

As regards the *Bengal Rent Law* Commission: I have ascertained that they have *not* reported as yet: they are in fact only entering on their work. The 'situation' is: that Mr. Field who is the 'working' member has made a Digest of the existing law with suggestions of his own for its improvement: & the Commission are now going over these. Still I am afraid the whole thing is to be feared: tho' the Ryots have powerful friends here.

Mr. Field is anti-Ryot: There seem to be only two native members attending the meetings, of whom one you speak of²² is wholly for the Zeminders: but Babu Brajendra Kumer Seal (the Sub-Judge)²³ is not so: he seems inclined to be just to the Ryots in most

things. And other members of the Commission are so also.

As regards the *Road-Cess*:—Of course there may be & we fear there are cases of over-exaction of Road-cess: but certainly there is a wonderful absence of general complaint: this however may be thro' fear of the Zeminder. The Cess was doubled for public works (Famine fund) & is now 1 anna in the Rupee, I believe? It is on these matters,—over-exactions & the like,—that it is all-important to glean exact information: information that cannot be successfully challenged.

To return to the *Rent Law Commission*:—No tacit assumption of the English idea that everything *prima facie* belongs to the Landlord, & that all subordinate rights are so much derogation from his, & therefore to be construed strictly & put to the proof—an idea certain to find favour with the Zeminders—should be encouraged. Both by status & by the Law of 1793²⁴ the Ryot has original rights of his own. What is very much wanted is some record of Ryots' holdings so that a right once acquired may not be lost by a mere irregular increase of power: is it not?

A proposal for protecting Ryots who have cultivated for 12 years in the same village is most desirable: I suppose. No improved facilities for enhancement should be put in the hands of the Zeminders in respect of procedure. They are only persons who have certain legal rights under a compromise effected in 1859. The decisions of the Courts have been on the whole very favourable to the

Ryot: have they not? Ultimately I hope that our efforts will be directed to re-establishing a Peasant Proprietary—tho' our well-meant immense experiment in Western India has been far from successful.

But I earnestly trust that the present Commission will limit itself to giving effect to the Act of 1859, refusing to give the Zeminders anything which that Act does not give them. It is to be doubted whether under present circumstances the *Ryot* might not suffer by a re-casting of the whole Rent Law.

But I only offer these considerations to your notice, as being those of some of the best friends of the Ryots here: And as inviting *facts* which will be of the utmost importance—that is, provided they *are facts* & not mere opinions: *type* facts & not exceptional ones. The facts collected, to be of any value, must be, it needs scarcely be said, *truly typical* & *not* exceptional. Induction from single instances is a kind of reasoning too much in favour everywhere, but more particularly in India, is it not?—To pick our facts to support our arguments & views I have ever found destructive of all progress, all hope of right conclusion and righteous action. But I need scarcely say *this* to you.

To return to your career which interests me deeply: A people cannot really be helped except thro' itself: a people must be *informed*, *reformed*, *inspired* through itself. A people is its own soil & its own water. Others may plant, but it must *grow* its own produce. As well might crops be grown without soil & without water as prosperity and knowledge be *grown*

without the people's minds being the cultivated soil for these noble crops.

Therefore, I do so earnestly bid 'Godspeed' to the noble efforts of young Indian gentlemen to educate *their* poorer brethren into men.

I am delighted to hear that your friend is determined to devote himself to giving the people practical education and teaching improved methods of agriculture. In an agricultural country like India, *that* must be one of the main things. The estates of landlords ought to be centres and nuclei of improvement: It ought to be the landlord's aim to prove that a peasant is better off as the tenant of an improving and intelligent landlord than as a proprietor who has to stand by himself.

But it would be a fine thing to turn the tables on them, the landlords: and to *show* that, as regards agricultural backwardness, the Zeminder is the backward man, the *ryot* the improving man: to show *on the-ground* that the *ryots* are models of agricultural progress; the landlords—those who do little or nothing for their soil, their tenants or themselves.

If there were anything that could recommend the system of a peasant proprietary, it would be *this*. *This* is the real proof to aim at: the real work to do.

I would not miss another mail in answering yours of January 21, which reached me on the funeral week of my beloved mother.²⁵

23 years of overwork and illness have been mine. But this last half year, ending with my dear mother's blessed going 'home' (but what a gap to me!) can

INDIAN LETTERS

scarcely come again. 6 years without one day's rest of body or mind I have had. (Excuse my excuses.)

Pray believe me
every yours faithfully and *in hope*
P. K. SEN, ESQ. Florence Nightingale

IX

Private

London, July 15, 1881.

Sir

I beg to thank you very much for yours of June 3, and for the information contained in it about Mr. Reynolds' Draft Rent Bill—a subject so deeply interesting to me—and for two numbers of 'Brahmo Public Opinion'. I have already made some use of the Resolutions, especially Resolution 2,²⁶ passed at the Ryots' meeting at Calcutta and hope to make more. Could you be so very good as to make me a present of another copy of this 'Brahmo Public Opinion' of 'March 31, 1881',²⁷ for circulation, if it is not asking too much? It might be very useful here. (I have not seen a copy of Mr. Reynolds' Draft Bill, exactly as it stands. If not too voluminous, might I ask you for a copy? But do not send it, if too troublesome.)

I am extremely sorry, because you must have thought me ungrateful, that you do not appear to have received a letter of mine thanking you for your great kindness in sending me last December a copy of the Rent Commissioners' Report and Draft Rent Bill (two volumes)²⁸—and two numbers of 'Brahmo Public Opinion' with accounts of the Ryots' meetings. I made, I assure you, the greatest use of all these.

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Let me request that you will be good enough to put your address in full at the head of each letter with which you honour me.

I eagerly await such information about the Ryots in Bengal as you have kindly promised me.

The memorial to Government on behalf of the Ryots, and the pamphlet, of which you are so good as to promise me copies, will be very valuable.

Let me assure you that, so far from any of the information you so kindly sent, both in letters and in printed documents and in your annotations upon these, being wasted, it is always among the most important I receive.

It is impossible to exaggerate the state of the Ryots in Bihar, I fear.

But do not think the question of Bengal Land is "shelved". In the Irish Land Bill the House of Commons is affirming a principle very important to the Bengal Ryots' interest. The House of Commons is on our side. And when this is passed the Bengal Land question will come to the front.

Thank 'God!

May God defend the right!

I am anxious to save this mail in conveying to you my thanks ; but hope to write more fully another time. I am, as always, (you kindly ask) under the severe pressure of overwork and illness.

But I am as ever

Your and the Ryots' faithful servant

Florence Nightingale

I trust that you are now quite well.

P. K. SEN, ESQ.

F. N.

X

Private and confidential

London August 12 1881

My dear Sir

I promised to write about the subject which so interests us both, again—my last letter having been so meagre. And this will be hardly less so—

Little is known about Mr. Reynolds' Draft Bill here ; and it is supposed to be non, or only semi-official ; & that therefore it does not bind the Government. But no one seems to have seen a copy of the Draft here.

Yet if it gives to all resident ryots rights of occupancy, that is so great a boon that it is said here to outweigh the requiring "proof" from 1839 instead of from 1859—a clause so fatally objectionable.

As for Behar: something *must* be done for the Ryots there ²⁹ when a Committee even of Indigo-planters and Zeminders find that the ryots have lost all their rights, partly from being moved about by Indigo-planting, partly from other causes.

I assure you that there is no lack here of determination in the highest quarters to give the subject the fullest consideration and justice. The Bill must come first from the *Bengal* Government—then go up to the Government of India—then come here to the Secretary of State, who is so 'thorough' that he *will* understand all about this Bill in order to do it full

INDIAN LETTERS

justice, before he will pass it. Nothing is to be done in India without referring Home.

The Bill has not come up to the Government of India yet. And they are determined there in Council to have plenty of time to consider it.

Though much way has not been made yet, it is much more hopeful than if there was a disposition to precipitation instead of to justice.

The case of the Bengal, and still more of the Behar Ryots is indeed urgent. But there is good ground for hope—and there is certainty that our rulers are looking at it in the most dispassionate & thoroughly just spirit.

I wish there were not room to fear that the present Lt. Governor's health is falling off. He is not what he was, I suppose?—

Very much pressed for time & in haste to save the mail.

pray believe me

ever yours & the Ryots'
faithfully

Florence Nightingale

I hope to hear from you,
and to see a copy of
Mr. Reynolds' Draft Bill.

F.N.

XI

Private

Nov 28 1881

10, South Street,
Park Lane. W.

My dear Sir

I feel that I have never half thanked you for your kindness in sending me Mr. Reynolds' Draft Rent Bill, and the Ryots' Memorial to Sir Ashley Eden³⁰ and 4 copies of the "Indian Association" address of June to Mr. Mackenzie.³¹

(Would you kindly tell me more particularly the character of the "Indian Association" & its constitution, especially as regards the Ryots?)

Also: for the copy of "Brahmo Public Opinion" of March 31 and of the "Bengalee" of July 2 with Resolutions.

Also: for 2 copies of the pamphlet on the "Rent Question" by Mr. P. C. Roy.

And now I am going to ask you another favour.

I am told that the Government of Bengal *re-amended* Mr. Reynolds' Bill and circulated the result as their view.

Could you kindly send me this (Government of Bengal's) re-amended Draft Bill?

It is almost impossible,—and especially this year when the House of Commons was fairly exhausted with the Irish Land Act,³²—and, ever since, the question of Ireland has been so pressing that the attention of Ministers and every one has been absorbed by it—but this is of good augury for India—it is almost impossible,

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I say, to obtain attention to great public and administrative questions, during October and November. But the time is now approaching when all political men and officials are re-assembling in London. And I assure you the great vital interests of India, that wonderful country, will not pass unnoticed. On the contrary, it seems as if a new era were opening for her. God grant it be so!

ever your and her faithful
servant

Florence Nightingale

Would you present my best thanks to Mr. P. C. Roy for his kindness in sending me his pamphlet?

P. K. Sen Esq.

XII

Private
}

DEC 9 1881
10, South Street,
Park Lane. W.

Dear Sir

I would write just a line to say that the great well-wishers to the Ryots here are "agreeably surprised" by the liberality of Mr. Reynolds' Draft Bill, and by the allusions, in the papers which you sent, to Sir A. Eden's views. He desires, it seems, to make strong occupancy rights 'the rule and not the exception.' It is true that Reynolds' Bill requires Ryots claiming fixed Rents to go back to 1839 (20 years before 1859) instead of 20 years from date of action—a provision

which must be modified. But he gives *all* resident Ryots right of occupancy and puts their privileges on liberal and solid ground—and this apparently in accordance with the views of the Lieut. Governor.

Till we know what is the Govt. Draft Bill to be seriously proposed, I think my friends would hardly consider it worth while to discuss the details of Mr. Reynolds' Bill, beyond the main features which I have stated.

I trust you will be so very good as to send me the Draft Bill which, it is understood, the Govt. of Bengal have now put forward as their view, but which has not yet reached the India Office here.

The present Secretary of State who is the most serious, conscientious and painstaking of men will soon patiently take up the question, with which he is very well fitted to deal after his Irish experience.

Any information about the Associations which have sprung up of late years³³ would be valuable. (

There was one, got up in Sir G. Campbell's time, in a kind of opposition to the "British Indian Assocn.". Would that be the same as this "Indian Assocn."?³⁴

The upshot of the papers is to make one feel that, as far as the Bengal rent question has gone, (so the Ryots' friends say here,) it is in hands favourable to the ryots. And I do trust it may be satisfactorily settled. You may rely on my doing all I can.

At the same time the absence of information from India here is very unsatisfactory. But Lord Ripon is

INDIAN LETTERS

pretty sure to do justice to the popular side so far as he can if action is really taken.

In haste

Yours very faithfully
F. Nightingale

P. K. Sen Esq.

XIII

Private

FEBRUARY 24/82
10, South Street,
Park Lane. W.

Sir

I am greatly obliged to you for your last valuable letter of January 2: and for four Reports (which followed it) of the Indian Association: viz. the second and fourth Annual Reports, and the Proceedings at two Public Meetings of the Ind. Assn. on the Vernacular Press Act.

I am looking forward to your kindness to send me the "Amended Bill", the Govt. of Bengal's Bill, on the Revised Rent Law.

Not a word you send me is lost upon the cause. I will perhaps await the coming of the "Amended Bill" before entering on the whole question of what is best and what is attainable for the Ryot. It is a matter of indeed incalculable importance what may be the consequences of this 'Act'. The Government has no

disposition to "shelve" it ; but they are right to give it the utmost deliberation.

Would it be troubling you too much if I ask whether you would have the goodness to send me the *Calcutta Gazette* of April 23 1879, containing a Minute of the High Court of Judicature on this same Rent Law Question, which I have seen, and which is singularly to the purpose? It is impossible to get in England, because the India and other Offices will not break their files.

The gentleman at Howrah whom you mentioned has been good enough to send me copies of his book on the Settlement (Permanent) of Bengal and the Land Question. The work is one of great research and value. But it is a pity that these gentlemen do not see that these works which require only literary talent and industry can as well be done in England, and that what English Statesmen want are *facts*, plain facts, if possible from an eye-witness, showing the present condition of the Bengal Ryot.

In haste

pray believe me
ever yours faithfully
with many thanks
Florence Nightingale

P. K. Sen Esq.

May God defend the Ryot
is the prayer of my heart.
God save Bengal!

Stay behind me
in haste

Yours faithfully
Florence Nightingale

P. K. Sen &

XIV

March 24 1882
10, South Street,
Park Lane. W.

Dear Sir

Pardon me for only writing one line today to say that I have found in London a copy of the Calcutta Gazette of April 23, 1879, which I think I troubled you by asking for two or three weeks ago.

If you have kindly obtained and sent it me, it will be useful: for no one here could procure a copy. But if not I trust you will not trouble yourself, as my copy is available.

I trust you know that every paper you have been kind enough to send me is put to use. Not a word is lost. It was your sending this Calcutta Gazette which drew attention to it.

But I hope that you have now collected the all-important recent information about the actual condition of the Ryot in the country on his own fields in Bengal, in Eastern Bengal, and especially in Behar and that we shall soon have the benefit of it.

May God defend the Ryot is the prayer of my heart. God save Bengal!

Pray believe me
in haste
ever yours faithfully
Florence Nightingale

P. K. Sen Esq.

NOTES

NOTES

Florence Nightingale (1820-1910), one of the best examples of insurgent Victorian womanhood. She is generally known as the "Lady with the Lamp" for her service to the sick and wounded in the Crimean War. She came to Scutari on her mission of sick-nursing and stayed on there for about two years. As a matter of fact, she organised the nursing of the sick and wounded on the battle-field for the first time in England and her lead was speedily followed and help solicited by other countries. But her activity was not confined to mere hospital work ; nor did she take any rest after her arduous work abroad ; she engaged in ceaseless endeavour for sanitation and other reforms. Lytton Strachey in his *Eminent Victorians* writes that "a demon possessed her", and she was indeed demoniac in her energy and her passion for efficient administration ; one of her biographers calls her "the passionate statistician." She was, again an example or a symptom of the divine discontent that was surging within the minds of English women in the first half of the last century—a discontent that ultimately found an outlet in a demand for equal rights for women in all the avenues of life—political rights and responsibilities, careers, vocational and liberal education, etc. Her passion for humanity led her to the study of Indian conditions, specially in the matter of drainage and sanitation, and she took an active interest in the Indian ryot and the questions of land-tenure, his indebtedness and poverty—the funda-

mental difficulties against which he has had to struggle. In a letter to Lady Canning, her friend, she offered to come to India at twenty-four hours' notice if there was anything in her "line of business". It was customary for many years for the newly appointed Indian viceroy to call on her before he left the shores of England to take up his administrative duties, and she was for a substantial portion of her career known as the Indian reformer who was a driving force in the cause of better conditions for India. She studied without fatigue blue-books which lined the book-cases in her apartments, and though she was very well-versed in Greek and in the Bible, she never allowed her love of scholarship to interfere with what she considered to be her legitimate work in life—humanitarian work of all kinds. A list of her writings on India is given in the Appendix, and this does not include her projected work which she loved so dearly that she provided for its publication in her will, made in 1896. She never ceased to regret that she had not been able to leave in permanent literary form her views on the questions discussed in the book.

Parbati Churn Roy, my father's uncle on the mother's side, and a native of Manikganj, District Dacca, was born about 1840, and married in 1851, in which year he also began to study English in the Dacca Collegiate School. After taking his B. A. degree from the University of Calcutta in 1862 as a teacher, he became Headmaster of Bogra Zilla School in 1864. He was transferred to Mymensingh a few months later. While there, he was considered an important social

factor as may be found from the perusal of the autobiography of men like Krishna Kumar Mitra who had been young at the time. He was subsequently raised to the position of a deputy collector and as such carried out a comprehensive diara survey during 1877-80 extending to the Ganges, Brahmaputra, Meghna and Arial Khan. What is a *diara* survey? It is provided for in Act IX of 1847, which laid down that in districts of which a revenual survey had already been made, the Government might, after ten years from the date of that survey, have a new survey made of lands on river banks to ascertain changes that had occurred since the first survey. Such changes are by no means inconsiderable, and proprietors who had sustained loss were allowed proportionate abatements of land revenue, while those who had gained were assessed accordingly. In 1884 he was at Ranchi for some time, and Mrs. Roy was then afflicted with cataract. Mr. Roy went out to England in April 1888; it was during his stay there that he conceived the idea of writing a pamphlet on Civil Service Reform. On return to India he was posted to Darjeeling. In 1891, Mrs. Roy died, starving herself to death out of sheer grief as she came to realise that she had completely lost her eyesight. Parbati Churn entered the Eastern School of Theosophy from Dacca in July 1891, and retired from his appointment as a Deputy Magistrate and Deputy Collector, Alipur, Twentyfour Parganas, on the 8th May 1893 on a pension of Rs. 332/14/- only, "to be paid from the Home Treasury, London".

I have a rough sketch of his autobiographical notes in Bengali in manuscript, as well as a copy of his

pamphlet on *Indian Civil Service Reform*, printed in 1888 and published by Fisher Unwin. He is there described as “Deputy Magistrate and Deputy Collector of Alipur, Calcutta ; late Subordinate Judge and Small Cause Court Judge of Darjeeling ; late Divisional Settlement Officer of Chota Nagpur ; late Superintendent of Alluvial Survey and Settlements in Eastern Bengal etc.”, as well as the author of “The Rent Question in Bengal” ; “The Unjust Treatment of the Claims of the Natives of India for Appointments in the Survey Department of India” ; “Financial and Administrative Reform in India—Bengal” etc. *From Hinduism to Hinduism* written by him was, it is reported, perused with great profit and interest by his contemporaries. He was himself a zaminder and his book *The Rent Question in Bengal* was reprinted from *Bengal Public Opinion* in 1883. It is divided under 16 heads and discusses the rights of landlords and tenants prior to the Permanent Settlement, rents in older times, the effect of the Permanent Settlement on zaminders and ryots, the necessity for a general revision of the Rent-Law, extension and transferability of the occupancy right, etc. I have been reliably informed that his proficiency in mathematics was widely known and that Radhanath Sikdar was one of his intimate friends.

Prasanna Kumar Sen, my father, was born about 1850 in Malancha, Manikganj, District Dacca. An orphan in his early years—before he was full ten years old—he had been placed under the care and guardianship of his uncle Parbati Churn Roy (q.v.)

who being without any issue brought him up as his own son. My father passed F. A. Examination of the Calcutta University from the Presidency College, Calcutta. Parbati Churn Roy was both a relation and an intimate friend of Durga Mohan Das and Bhuban Mohan Das, and as both Parbati Churn and Prasanna Kumar were members of the then progressive movement, the Brahmo Samaj, it was settled to place him under Bhuban Mohan to qualify for legal profession. He appeared in the Attorneyship Examination, obtaining highest marks in all subjects. Belchambers was attracted by his brilliant result and used to take a keen interest in him as long as he lived. Prasanna Kumar then joined the firm of Messrs. B. M. Das & Co. as a partner and picked up a substantial practice, but the sudden loss of an eighteen year old son undermined his health and hastened his death. He used to write for *The Hindu Patriot* when edited by Kristo Das Pal and *The Bengal Magazine* edited by Rev. Lal Behari Dey who, impressed by his article on "Representative Government" published in his magazine, requested him to contribute more articles chiefly on political subjects and he was also actively associated with the editing of *Brahmo Public Opinion*.

1. *Arrears of Rent Realization Bill, 1878 (Feb.)*: As Act X of 1859 had created or recognised the occupancy right of ryots under certain conditions, the landlords wanted to evade the implications of the right by trying to make the conditions different. Difficulties were also felt by them in realizing their

arrears of rent. For both landlords and tenants, a legal protection or procedure was necessary ; hence the Bill.

2. *New Bengal Rent Act* : This refers to the Bill just mentioned. It was to be merged in the greater reform to be carried on by the government, for which the Rent Commission was constituted.
3. *Sir Ashley Eden's governorship* : This extended over 1877-82. Hon'ble Sir Ashley Eden had joined his appointment in India in May 1852 first as an Assistant Magistrate and Collector at Rajshahi. He was an assistant to the Special Commissioner for suppressing the Santal insurrection of 1855 and rose to be the Deputy Commissioner of the Santal Parganas in 1856. He had been officiating as the Lieutenant-Governor of Bengal since January 1877 after Sir Richard Temple (1874-77) and was confirmed in that capacity on the 1st May of the year. He received the title K. C. S. I. in 1878. In his time there were two ghastly cases of murder of zemindars by ryots, at Faridpur and Midnapur. His *régime* was responsible for the Bengal License Act of 1878, the Vernacular Press Act, the Cess Act, the Calcutta Municipal Act, the Calcutta Tramways Act, as well as various legislations governing the relations of the landlord and the tenant. He died suddenly of paralysis in London, July, 1887.

4. *Act X of 1859* is generally known as the Bengal Rent Act, and it consists of 168 sections ; it is an Act to amend the law relating to the recovery of rent in the Presidency of Fort William in Bengal. For events leading to the Act, the sketch of tenancy legislation given in the introduction is recommended for consultation.
5. *Reg. VII of 1799* : It was a special law for the recovery of arrears of revenue from farmers of Government and Ward's Estates, etc., and of arrears of rent in estates managed directly by the Collector; known popularly as *haftam* (the seventh), it conferred on landlords the power to attach the goods (including livestock and crops) as well as arrest the persons of defaulting ryots.
6. *Reg. V of 1812* : or the Bengal Land-Revenue Sales Regulation, for amending some of the rules then in force for the collection of the land-revenue. Among its provisions may be noted (a) the competency of the proprietors to grant leases and receive engagements for any term in any convenient form, though arbitrary cesses were prohibited ; (b) immunity of annual existing leases, within the year, from cancellation by attachment or purchase ; (c) appointment by judges of managers of joint undivided estates ; (d) power of the law-courts to remove managers.
7. *Patwarees and Canoongoes* : "the Canoongoes, the local registrars of all rights in the land,

and under them the Putwarees, or village accountants, who are now in fact public officers bound to record all changes in the possession of the land, the rights and liabilities of every cultivator" etc.—Parliamentary Papers relative to the Administration of Bengal 1868, p. 29. Patwarees are *gomastas* in the pay of landlords, while Canoongoes are in the pay of the government.

8. *The Road Cess*: Bengal was immune from local taxation up to 1871. Then there came into being, for the first time, tolls on a few roads and ferries. But these were realised on the provincial basis; there was no local responsibility. In 1871, therefore, the Bengal Council passed a Road Cess Act to bring Bengal into a line with the remaining provinces of the British India, providing for the construction and maintenance of roads out of a cess raised locally on a special valuation of land, on mines, quarries and houses. Then there were set up district, and even subdivisional, Boards. A second cess followed in 1877 for carrying out other works of public utility. In 1880 both Acts were consolidated and amended. The whole system was ready in 1885 (Act III) to be put into action.
9. *Bengal Land Question*: by P. K. Sen (1878). This was the occasion of the correspondence published in this volume.

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10. *Rent Question* : by P. C. Roy. The full title of the book is 'The Rent Question in Bengal' ; it was reprinted from *Bengal Public Opinion* in 1883. It gives a historical survey of the question and discusses the effect of the Permanent Settlement. One copy of the book is in the Calcutta University Library.
11. *Bengal Peasantry* : by Mr. Dutt. This was an important publication composed from the ryot's viewpoint.
12. *Abwab* : literally, special additional assessment, as distinct from *nirikh* or rates. P. C. Roy in his book on the rent question in Bengal asserts that *abwabs* imposed by Government do not harm the people, but the secret *abwabs* imposed by the zemindar do. *Poolbundy*, *nuzzerana*, *foiydary*, *batta*, *khelat* etc. are varieties of *abwab*.
13. *Report on the Deccan Ryots by the Commission of Enquiry* : At the end of the year 1874, in village Kardeh, Taluka Sirur, District Poona, there was a large-scale riot, preceded by an organised social boycott of Marwari and Guzerati money-lenders during which all touch or contact was broken off them. One house was burnt down in a different taluka at Poona. Similar incidents followed at different adjoining centres, and the neighbouring District Ahmednagar suffered equally. About 50 villages were affected, and though serious crimes were com-

paratively few, Government constituted a Commission of Enquiry consisting of two members of the Bombay Civil Service, one from the Bengal Service, and one Indian gentleman, Rao Bahadur Sumbhooprasad Luxmeelal. The total arrests approached the alarming figure of something like a thousand. The Report extended to seven chapters, dealing with the premonitory disturbances, described the district in which the riots took place, the relation of sowkar and ryot and the causes of debt, measured the extent and nature of the indebtedness of the ryot, analysed the causes of hostility between the ryot and the sowkar, enquired about the immediate occasion of the riots and suggested remedial measures. It was well-documented, supplied with statistics and facts about the economic condition of the ryot, which were eagerly studied here and in England, calculated as they were to satisfy practical philanthropists like Florence Nightingale.

- The rigid working of the revenue system was one of the causes held by the Commission as responsible for the outbreak.
14. *The Nineteenth Century*: August 1878. The article was named "The People of India" and appeared in pp. 193-221 of the issue, in the place of honour. In this article Florence Nightingale described in detail the miserable state of Madras and the evils of usury in the Bombay Deccan. Lord

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Cranbrook, the Secretary of State for India, was interested, but he feared the writer had generalised too much from one locality. Florence Nightingale's object in writing the article had been to show how it was that whole peoples among the most industrious in the world are the poorest in the world—how it was that whole peoples were always in a state of semi-starvation, were from time to time on the brink of famine. The causes, she thought, were preventible and accordingly she recommended redress of grievances regarding money-lending, irrigation, and systems of representation. While describing the state of things in India she turns again and again to the reader and asks: "Is it possible to lay bare a more hideous state of things?"

Brahmo Public Opinion, in its issue of the 26th September 1878 which we reproduce here *in extenso* as showing the intensity of Florence Nightingale's feelings on the subject, refers to this article and quotes the lines which begin it:

"We do not care for the people of India. This is a very heavy indictment. But how else account for the facts about to be given? We even do not care enough to know about their daily lives of lingering death from causes which we could so well remove. We have taken their lands and their rulers into our charge for state reasons of our own. Nay, the hour is coming, and even now is, when for

'state reasons' we are annexing, or preparing to annex, or to reorganize or to protect—by whatever name we call it—huge and unmeasurable territories, because they lie between us and them. But for them themselves—patient, silent, toiling millions of India, who scarcely but for suffering know their right from their left and yet who are so teachable, so ready to abide by law instead of resisting their enemy—the law for their daily lives and deaths, we do not as a nation practically care. Or should we not as a nation practically rise *en masse* to see that the remediable things to which good public servants have so often vainly called attention shall be remedied? Have we no voice for these voiceless millions? What is the saddest sight to be seen in the world? The saddest sight to be seen is the peasant in our own Eastern Empire”.

15. *Afghan War* : the second Afghan War made much noise in the domain of Indian finance. It provoked much opposition in the Parliament, and Fawcett won considerable sympathy from his Indian admirers (which eventually led them to open a Fawcett Election Fund to help him win his seat in the Commons in 1880) by leading the opposition. Next to Indian tenancy reform, the subject was prominent before the public eye.

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16. *Princess Alice* : The second daughter and third child of Queen Victoria ; born in 1843, betrothed to Prince Louis of Hesse-Darmstadt in 1861, and ever a support to her mother in her days of adversity and a counsellor in whom confidence was always well placed. She was specially interested in relieving the wounded on the battle-field, a work after Florence Nightingale's heart. In the war between Prussia and Austria the Princess sought her instruction regarding hospitals and there was much correspondence between the two. She died in 1878 of an attack of diptheria and her death caused nation-wide mourning. Tennyson voiced "the mellow murmur of a people's praise" when he dedicated his *Defence of Lucknow* to her memory in the *Nineteenth Century*, 1879, pitching the tune of the Poet Laureate to a true key.
17. *Florence Nightingale's Training School for Hospital Nurses* : In 1860 Florence Nightingale opened a Training School for Hospital nurses under her own supervision. St. Thomas's Hospital was to provide facilities for the training, and the cost was to be borne by the Nightingale Fund. 15 probationers were taken in for the first year's training. The pupils served as assistant nurses in the wards of the hospitals under instructions from the sisters and the Resident Medical Officer. Other members of the medical staff

lectured on the theory of medicine and on nursing. Each probationer, beside her technical training, had to fill a monthly sheet of personal character and acquirement under punctuality, etc. Diaries were to be kept for inspection, and the Hospital was to be a Home as well as a school. From 1872 she hardly missed her New Year's Day address to the nurses.

18. *Darmstadt* : it refers to Prince Louis of Hesse-Darmstadt to whom Princess Alice was betrothed and married. *Vide ante*.
19. *Calcutta Gazette* (1879) : giving an account of the steps taken by government.
20. *Lt.-Governor* 1879: Sir Richard Temple was in Jan. 1877 appointed famine delegate to the Madras and Bombay Presidencies, and was succeeded in the Lt.-Governorship of Bengal by Ashley Eden with effect from May, 1877.
21. *Commission for revising the entire Rent Law* : was appointed in 1879 (April) and consisted of "the Hon'ble H. L. Dampier (President), Dr. C. D. Field, Mr. A. Mackenzie, the Hon'ble J. O'Kinley, the Hon'ble H. L. Harrison and Babus Brajendra K. Seal, Mohini Mohan Ray and Pyari Mohan Mookherjee." Of these Hon'ble H. L. Harrison went to England before the Report was out, and so it was issued without his signature.

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22. *Another native member* : To whom does this refer? To Babu Mohini Mohan Ray, or Babu Pyari Mohan Mookherjee?
23. *Brajendra Kumar Seal, Sub-Judge* : A native of Chinsura ; a patron of the *Bengal Magazine* edited by Rev. Lal Behari De. He was a sub-judge in Berhampur and then in 1872 in 24-Parganas, and rose to be a Civil and Sessions Judge, Bankura, promoted perhaps in 1880 ; this promotion, superseding another officer in the same service, was due to his being in the good books of Justice Louis Jackson. The *Hindu Patriot* thus wrote on the occasion: "We congratulate Babu Brojendra Kumar Seal on his appointment as Additional Civil & Sessions Judge of Burdwan. He is a very able and deserving officer, and his rapid rise has been commensurate with his talents and abilities. We believe his service does not extend over more than fifteen years, and within that comparatively brief space of time, he has risen to the top of the tree. This is the first time a native sub-judge has been appointed to the covenanted post of Civil & Sessions Judge, and on his success will depend the extension of this superior class of appointments to the native judiciary. We have, however, no doubt that Babu Brajendra Kumar Seal will fully justify the choice of Government." *Hindu Patriot*, 1880.

24. *Law of 1793* : This is also known as Bengal Regulation of 1793 or The Bengal Permanent Settlement Regulation, 1793. It came into force and effect from the 22nd March, 1793, on which date the different articles embodying the Regulation formed the subject for a proclamation by the Government of Cornwallis. It was an innovation, but introduced with the best of intentions. There would be no remission nor suspension of rent, but it prescribed sale in the event of there being any arrears, reserving to itself the right to the enactment of laws for the safety and protection of ryots and talukdars without any prejudice to the interests of the Zemindars, and with certain provisos in the case of transfer of authority. It was followed by Bengal Regulation 2 of 1793 or The Bengal Land Revenue Regulation, 1793, which declared the abolition of the Courts of *Mal Adalat* or Revenue Courts, and transfer of the trial of the suits cognizable in those Courts to the Courts of *Diwani Adalat*, also prescribing rules for the conduct of the Board of Revenue and the Collector.
25. "*Funeral week of my beloved mother*" : Mrs. Nightingale died on Feb. 1, 1880, after nearly completing her 93rd year. How Florence Nightingale felt on her death may be inferred from the letter she wrote to her friend Miss Pringle next day. "Dearest—My dear mother fell asleep just after midnight, after

much weariness and painfulness. The last three hours were in beautiful peace and all through she had been able to listen to and to repeat her favourite hymns and prayers, and to smile a smile as if she said, 'I'm dying: it's all right'. Then she composed her own self to death at 9 last night: folded her hands: closed her own eyes: laid herself down, and in three hours she was gone to a Great Love."

26. *Resolution 2 passed at the Ryots' meeting, Calcutta*: Ryots' meetings were frequent in these days; they were held in Calcutta as well as some of the district towns, and resolutions were passed and protests signed. The Calcutta meeting referred to here passed at least six resolutions. The second of these protested against Reynolds' Draft Bill as "being calculated to deprive the ryots and under-tenure-holders of an important right which they had enjoyed since 1859: that in as much as these sections require ryots and tenure-holders in permanently settled estates claiming a fixed rent, to produce evidence to show that they have been in possession of their holdings at such a fixed rent ever since 1839, and not for twenty years before the institution of the suit, as required by Act X of 1859, and the Draft Bill of the Rent Commissioners, and that in as much as in the vast majority of cases it will not be possible for the ryots to produce such evidence extending over such a length of time, this

meeting is of opinion that the existing law on the subject should not be altered”.

27. *Brahmo Public Opinion March 31, 1881* : It contains an account of a Ryots' meeting at Wellington Square about 6 P.M. on Saturday of the previous week. There were about three hundred ryots present, besides about two thousand people of Calcutta. The meeting was addressed by Dwaraka Nath Ganguli, Krishna Kumar Mitra, Surendra Nath Banerjee and others, and passed the following resolutions:—

1. That this meeting, while grateful to His Honour the L. G. for the deep interest he has taken for the amendment of the present defective Rent Law, and for the Rent Bill framed by the Hon'ble H. J. Reynolds, desire at the same time to take exception to several of its provisions, especially those in which the Bill differs from that of the Rent Law Commissioners as being detrimental to the interests of the ryots.

2. That this meeting desires to enter its protest against the provisions of sections 6 and 16 of Mr. Reynolds' Draft Bill as being calculated to deprive the ryots and under-tenure-holders of an important right which they have enjoyed since 1859. That in as much as these sections require ryots and tenure-holders in permanently settled estates claiming a fixed rent, to produce evidence to show that they have been in possession of their holdings

at such a fixed rent ever since 1839, and not for twenty years before the institution of the suit, as required by Act X of 1859 and the Draft Bill of the Rent Commissioners, and that in as much as in the vast majority of cases, it will not be possible for the ryots to produce such evidence extending over such a length of time, this meeting is of opinion that the existing law on the subject should not be altered.

3. That this meeting, while it feels grateful to His Honour the L. G. for the intention he has expressed to confer upon all settled cultivators the boon of occupancy right, is of opinion that the same right should be conferred upon *paikast* ryots who have been or shall be in continued possession of their land for 12 years or more, and this meeting views with regret that under the Bill, as drafted by Mr. Reynolds, *paikast* ryots are not allowed to retain their land against the will of the zemindars, though under the provisions of the Bill as drafted by the Rent Commissioners, ryots who have held land for three years could not be evicted so long as they paid rent regularly.

4. That this meeting is of opinion that when rent has been enhanced, the limit of enhancement shall not exceed an anna in the rupee of the old rent, and that as regards land used for the ordinary purposes of agriculture, the rate of enhanced rent shall

not be liable to enhancement for a period of 30 years, and that as regards land where buildings or other permanent erections are raised, the rate of enhanced rent shall not be liable to enhancement for a period of 60 years from the date on which such enhancement takes effect. And further that, the meeting is of opinion that for purposes of enhancement and any other purposes, a uniform standard of measurement should be adopted throughout the province, and that no departure in this respect should be allowed in deference to local customs.

5. That this meeting desires to place on record its protest against the summary procedure laid down in Chap. VIII of the Rent Bill, and this meeting is further of opinion that rent suits should be triable by the Civil Court, and that if necessary, additional Moonsifs should be appointed who shall take cognisance exclusively of rent suits. The meeting is also of opinion that ryots might be allowed to deposit their rents in the Moonsiff's Court and by means of money orders obtained from the Post-Office.

6. That this meeting strongly protests against the alteration proposed by Mr. Reynolds, in sections 36 and 77 of the old Bill by which the right to build pucca houses and to cut trees, etc., without the consent of the zemindar had been granted to the ryots, but which have been withdrawn under the

provisions of the new Bill. This meeting thinks it most undesirable that these rights should be withheld from the ryots ; as in the first case they should be encouraged to build pucca houses, and as in the second to allow the cutting of trees, etc., to be regulated by local customs, would place the ryots entirely at the mercy of the zemindars, and lead to constant litigations. This meeting is therefore of opinion that sections 36 and 77 of the old Bill should without any alteration be embodied in the new Bill.

That a committee be appointed to draft a memorial embodying the resolutions that have been adopted.

28. *Rent Commissions' Report and Draft Rent Bill* : "Abstract of *Draft Bill* embodying the Recommendations of the Bengal Rent Law Commission, 1880" was published also as Parliamentary Paper of 19 Jan., 1881, under the signature of Enfield, Secretary of State.

"The measure which has excited great sensation is the Rent Bill of the Bengal Council drafted by the Rent Commission. It has burst like a bomb-shell among the zemindars.....It has stirred all the land-holders' Associations to action, and we now find that there are many more associations of this kind than we ever heard of during the last ten years. The Behar Land-holders' Association was the first to the field to raise the war-cry. We must say that the Notes

prepared and submitted to the Government by this Association show that the subject has been carefully studied and sifted, although we may not agree with the conclusions arrived at. East Bengal took up the cry, and a large and influential meeting was held in the Northbrook Hall, and resolutions were passed condemning the Bill. Mymensingh followed suit, and all these bright examples were too good to be lost.".....*Brahmo Public Opinion* Jan. 6, 1881.

"The members of the Rent Law Commission have submitted their Report which, with separate remarks appended by some of the members, covers 125 pages of the Calcutta Gazette. A Draft Bill has also been submitted which fills up about 105 pages of the Gazette. We intend to review the whole Report, as explaining the several provisions in the Bill, at length, in a series of articles as it is simply impossible to do justice to the subject in one or two articles.....The report is a masterly document.....in the first place a distinction has been drawn between tenure-holders or under-tenure-holders and ryots...*Brahmo Public Opinion*, July 29, 1880.

See *Brahmo Public Opinion*, 1880, December 16, for "Rent Law Commission"; and December 30, for "Draft Rent Bill" and "Government Sketch of the Rent Bill".

29. *Behar Ryots*: The Behar famine in 1874 affected a total area of 40,169 square miles,

but the members of the Famine Commission emphasised the strong and urgent need of placing the relations of landlord and tenant on a secure basis. Sir Richard Temple's government passed the Agrarian Disputes Act of 1876, but it was merely an emergency measure. The next two years were busy over the questions of principles of fixing rents and realisation of rent in arrears, but it was realised that such questions could not be solved piecemeal, and a thorough revision of the law was called for.

"The condition of the Behar tenantry is really deplorable. We are glad it has touched a chord in the heart of our worthy L. G. He has appointed a Committee of 15 gentlemen, consisting of Europeans and Natives, for the purpose of drawing a draft bill relating to a special rent law for Behar. Sir Ashley thinks: 'In Behar what is most wanted is some ready means of enabling the ryot to resist illegal restraint, illegal enhancement and illegal cesses and to prove and maintain his occupancy rights.'" *Brahmo Public Opinion*, Sep. 26, 1878.

The Behar Landholders' Association sprung up during 1879, and in that year a Commission was sanctioned to prepare a digest of the existing law and to draw up a consolidating enactment, including in its scope the land laws of Behar. It cannot be gain-

said that the Bengal Tenancy Act VIII of 1885 was the remote effect of these steps.

Florence Nightingale says in her pamphlet prepared for the London meeting (1 June, 1883):

“The Behar ryot will submit to be ousted from all his immemorial rights: he has no fight in him.....He has lost the right of occupancy by one field being taken for Indigo one year, another another.....The Behar ryots are a mass of poor low castes. They were not strong enough to bring their cases before the courts, and this is the result. They are crushed by constant and excessive increase of rent. Rents have been doubled, and more, within a few years. Rack-renting is extreme”.

30. *The Ryots' memorial in 1881 to Sir Ashley Eden*: This memorial protested against the innovation proposed on the Draft Bill, pleaded inability to produce receipts so old, “extending over a period of nearly 40 years”, and advocated the conferring of tenancy rights on all who had been in continued possession of their land for a period of twelve years and more; it invoked the authority of the Permanent Settlement as debarring all increasing of rent whether payable by the zemindar or by the ryot; it protested likewise against other changes, e.g. the high rate of enhancement proposed to be

sanctioned to the zemindars, the comparatively shorter period of time during which there would be no enhancement in Bengal (ten years for Bengal, while thirty for the United Provinces and Bombay), and the cumbrous machinery sought to be set up for the disposal of rent suits.

31. *Indian Association's Address to Mr. Mackenzie*: Hon'ble Mr. Mackenzie was in favour of the Bill for the more speedy realization of arrears of rent, and to amend the law relating to rents; while moving that the Bill be read in Council he said on 4th Jan. 1879:

"I have said that the procedure provided by the Bill for the recovery of rent in those cases which it covers is summary, and perhaps severe. But I must remind the Council that it is *tenderness itself*, as compared with the powers that the Legislative thought fit to confer upon the landholders of Bengal in years gone by". *Brahmo Public Opinion*, 1876, P. 123.

32. *Irish Land Act in the Commons, 1881*: It influenced Field's opinions and occasioned comparisons between conditions in Bengal and Ireland. The Irish Act had secured the three F's to the Irish peasant; should not the Bengal Act do the same for the Bengal tenant? The Bengal Tenancy Act (Act VIII) of 1885 was largely influenced by the Irish Land Act.

33. *The Associations which have sprung up of late* : On examination of the report of the Government of Bengal on the Bengal Tenancy Bill, 1884 we come across the following associations: Furreedpore Peoples' Association, Tirhoot Landholders' Association, Central Committee of Landholders of Bengal and Behar, East Bengal Landholders' Association, etc.
34. *Indian Association* : It was at first really the people's association, and was started in 1876-77. In its earlier career, it made itself felt as a power in organising public opinion on the Civil Service Agitation, the Vernacular Press Agitation, the Import Duties Agitation, etc. In 1877 it sent J. N. Banerjee to Bombay and Madras; A. T. Biswas to Bankipore, Allahabad, Cawnpore and Lucknow; D. N. Ganguli to Monghyr, Bhagalpur, Berhampur and other places to raise funds for the Civil Service Agitation. The Indian National Congress had not yet come into being, and the spade-work was done by the Association in rousing political consciousness among the middle class population. In April 1879 Lal Mohan Ghose left for England as the delegate of the Indian Association, with half a dozen memorials signed by a large number of people (described in *Brahmo Public Opinion* as about a lakh), for ventilating grievances on

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the Civil Service Question. It was about this time that it held a meeting at the Town Hall to protest against the cost incurred in the late Afghan War. Its committee room was then located at 93 College Street.

APPENDIX

FLORENCE NIGHTINGALE'S WRITINGS ON INDIA

1. *Abstract of Reports of the Royal Commission on the Sanitary State of the Army in India*, vol. i. pp. 371-462, with observations on the statistical return, vol. i. pp. 347-70. Published also separately. 1863.

2. *How People may live and not die in India*.

A pamphlet, 8vo, pp. 11, in lilac-coloured paper wrapper. 1863.

3. *Suggestions, in Regard to Sanitary Works required for Improving Indian Stations*, prepared by the Barrack & Hospital Improvement Commission. Blue-Book (suggestions, pp. 1-37). 1864.

4. *Remarks by the Barrack and Hospital Improvement Commission on a Report by Dr. Leith on the General Sanitary Condition of the Bombay Army*. Parliamentary Paper, 1865, No. 329.

5. *Suggestions on a System of Nursing for Hospitals in India*. A letter to the Secretary of the Sanitary Commission for Bengal, Folio, pp. 18. 1865.

6. *Memorandum on Measures adopted for Sanitary Improvements in India up to the end of 1867: together with Abstracts of the Sanitary Reports hitherto forwarded from Bengal, Madras, and Bombay*. 1868.

7. *Report on Measures adopted for Sanitary Improvements in India during the year 1868 and up to the month of June 1869: together with Abstracts, etc.* Blue-book. 1869.

8. A Letter published in the *Transactions of the Bengal Social Science Association*, 1870.

9. *Indian Sanitation*, *Ibid.* 1870.

10. *Report on measures adopted for Sanitary Improvements in India from June 1869 to June 1870: together with Abstracts, etc.* Blue-book. 1870.

11. *Observations on Sanitary Progress in India*, 1872. Published in the Report on Measures adopted for Sanitary Improvements in India, 1872. pp. 48-9.

12. *Life or Death in India*. Pamphlet. 1874.

APPENDIX

13. *Irrigation and means of Transit in India.* (*The Illustrated London News*, August, 1874.)
14. *The Famine in Madras.* (*The Illustrated London News*, June 29, 1877.)
15. *The Indian Famine.* (*The Daily Telegraph*, August 20, 1877.)
16. *The United Empire and the Indian Peasant* (*Journal of the National Indian Association*, June, 1878).
17. *A Water Arrival in India.* By a Commissioner. (*God Words*, July, 1878.)
18. *The People of India.* (*The Nineteenth Century*, August, 1878.)
19. *A Missionary Health Officer in India.* (*Good Words*, July, August, September, 1879.)
20. *Letter on Co-operation in India.* (*Journal of the National Indian Association*, May, 1879.)
21. *Irrigation and Water Transit in India.* (*The Illustrated London News*, May, 1879.)
22. *Can we educate Education in India to educate "Men"?* (*Journal of the National Indian Association*, August, September, October, 1879.)
23. *The Dumb shall speak, and the Deaf shall hear; or, the Ryot, the Zemindar, and the Government*, 1883. (*Journal of the East India Association*.)
24. *Our Indian Stewardship.* (*The Nineteenth Century*, August, 1883.)
- 25. *The Bengal Tenancy Bill.* (*Contemporary Review*, October, 1883.)
26. *Village Sanitation in India*, 1887.
27. *Village Sanitation in India*, 1889.
28. *Sanitation in India*, 1891.
29. *Village Sanitation in India*, 1892. (*India*, July 15, 1892.)
30. *Introduction to Behramji M. Malabari* by D. Gidumal.
31. *Health Lectures for Indian Villages.* (*India*, October, 1893.)
32. *Village Sanitation in India.* (For the 8th International Congress of Hygiene at Budapest.)
33. *Health Missionaries for Rural India.* (*India*, December, 1896.)

